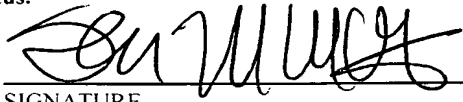


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|---|--|---|--|--|
| FORM PTO-1390 (Modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE<br>(REV. 11-2000)  |  | ATTORNEY'S DOCKET NUMBER<br><b>Y31-170800C/KK</b>               |  |  |
| <b>TRANSMITTAL LETTER TO THE UNITED STATES</b><br><b>DESIGNATED/ELECTED OFFICE (DO/EO/US)</b><br><b>CONCERNING A FILING UNDER 35 U.S.C. 371</b>   |  | U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR)<br><b>10/500819</b> |  |  |
| INTERNATIONAL APPLICATION NO.<br><b>PCT/JP02/03691</b>  | INTERNATIONAL FILING DATE<br><b>March 26, 2003</b>   | PRIORITY DATE CLAIMED<br><b>March 27, 2002 and May 14, 2002</b> |  |  |
| TITLE OF INVENTION<br><b>POSITIVE ACTIVE MATERIALS AND NON-AQUEOUS ELECTROLYTE BATTERIES EMPLOYING THE SAME</b>   |  |   |  |  |
| APPLICANT(S) FOR DO/EO/US<br><b>1) Ryuji SHIOZAKI 2) Akihiro FUJII 3) Tokuo INAMASU 4) Hiroe NAKAGAWA 5) Suguru KOZONO</b><br><b>6) Toshiyuki NUKUDA Assignee Name: Yuasa Corporation Assignee Residence: Takatsuki-shi, Osaka, Japan</b>   |  |   |  |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |  |   |  |  |
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2))           <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto. <b>(90 pages)</b></li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> <li>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li>12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> </ol> |  |   |  |  |
| <b>Items 13 to 20 below concern document(s) or information included:</b>  |  |   |  |  |
| <ol style="list-style-type: none"> <li>13. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <b>(16)</b></li> <li>14. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input type="checkbox"/> A substitute specification.</li> <li>18. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</li> <li>20. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>21. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>22. <input type="checkbox"/> Express Mail Label No.</li> <li>23. <input checked="" type="checkbox"/> Other items or information:</li> </ol>  |  |   |  |  |
| <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <b>Form PCT/IB/301</b><br/> <b>Form PCT/IB/304</b><br/> <b>Form PCT/IB/308</b><br/> <b>Form PCT/RO/101</b> </td> <td style="width: 50%; vertical-align: top;"> <b>Form PCT/ISA/210</b><br/> <b>Cover page of the International Publication (WO 03/081698)</b><br/> <b>4 Sheets of Formal Drawings (Figs. 1-4)</b> </td> </tr> </table>  |  |   | <b>Form PCT/IB/301</b><br><b>Form PCT/IB/304</b><br><b>Form PCT/IB/308</b><br><b>Form PCT/RO/101</b> | <b>Form PCT/ISA/210</b><br><b>Cover page of the International Publication (WO 03/081698)</b><br><b>4 Sheets of Formal Drawings (Figs. 1-4)</b> |
| <b>Form PCT/IB/301</b><br><b>Form PCT/IB/304</b><br><b>Form PCT/IB/308</b><br><b>Form PCT/RO/101</b>  | <b>Form PCT/ISA/210</b><br><b>Cover page of the International Publication (WO 03/081698)</b><br><b>4 Sheets of Formal Drawings (Figs. 1-4)</b> |   |  |  |

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| U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.51)  |              | INTERNATIONAL APPLICATION NO.<br>PCT/JP02/03691 |                                     | ATTORNEY'S DOCKET NUMBER<br>Y31-170800C/KK |    |
| 24. The following fees are submitted:   |              |   |                                     | CALCULATIONS PTO USE ONLY                  |    |
| <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :</b>  |              |   |                                     |  |    |
| <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO . . . . .                                  |              |   |                                     | \$1080.00                                  |    |
| <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO . . . . .   |              |   |                                     | \$920.00                                   |    |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO . . . . .   |              |   |                                     | \$770.00                                   |    |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . .  |              |   |                                     | \$730.00                                   |    |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) . . . . .  |              |   |                                     | \$100.00                                   |    |
| <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>   |              |   |                                     | \$920.00                                   |    |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).  |              |   |                                     | \$0.00                                     |    |
| CLAIMS  | NUMBER FILED | NUMBER EXTRA                                    | RATE                                |  |    |
| Total claims  | 8 - 20 =     | 0   | x \$18.00                           | \$0.00                                     |    |
| Independent claims  | 3 - 3 =      | 0   | x \$86.00                           | \$0.00                                     |    |
| Multiple Dependent Claims (check if applicable).  |              |   | <input type="checkbox"/>            | \$0.00                                     |    |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |              |   |                                     | \$920.00                                   |    |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.  |              |   |                                     | \$0.00                                     |    |
| <b>SUBTOTAL =</b>   |              |   |                                     | \$920.00                                   |    |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).   |              |   |                                     | \$0.00                                     |    |
| <b>TOTAL NATIONAL FEE =</b>   |              |   |                                     | \$920.00                                   |    |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).   |              |   | <input checked="" type="checkbox"/> | \$40.00                                    |    |
| <b>TOTAL FEES ENCLOSED =</b>  |              |   |                                     | \$960.00                                   |    |
|   |              |   |                                     | Amount to be: refunded                     | \$ |
|   |              |   |                                     | charged                                    | \$ |
| a. <input checked="" type="checkbox"/> A check in the amount of \$960.00 to cover the above fees is enclosed.   |              |   |                                     |  |    |
| b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.  |              |   |                                     |  |    |
| c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0481  |              |   |                                     |  |    |
| d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038. |              |   |                                     |  |    |
| <b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>  |              |   |                                     |  |    |
| SEND ALL CORRESPONDENCE TO:   |              |   |                                     |  |    |
| Sean M. McGinn, Esq.<br>Customer No. 21254<br>McGin & Gibb, PLLC<br>8321 Old Courthouse Road<br>Suite 200<br>Vienna, VA 22182-3817  |              |   |                                     |  |    |
|   |              |   |                                     |  |    |
| SIGNATURE   |              |   |                                     |  |    |
| Sean M. McGinn, Esq.  |              |   |                                     |  |    |
| NAME  |              |   |                                     |  |    |
| 34,386  |              |   |                                     |  |    |
| REGISTRATION NUMBER   |              |   |                                     |  |    |
| July 7, 2004  |              |   |                                     |  |    |
| DATE  |              |   |                                     |  |    |